REMARKS

Claims 1–23 are pending in the application.

Claims 1–23 stand rejected.

Rejection of Claims under 35 U.S.C. §102

Claims 1-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Shinohara, U.S. Patent No. 6,067,298. Applicants respectfully traverse this rejection.

With respect to claim 1, the cited art fails to anticipate, teach, or suggest an output traffic manager coupled to receive packets from the switch fabric ("outbound packets"), wherein the output traffic manager selectively stores outbound packets into a selected queue and selectively drops outbound packets when the selected queue is at a certain fullness level, and approximately when the output traffic manager drops outbound packets or is about to drop said outbound packets, the output traffic manager communicates to the ingress receiver to drop inbound packets destined for the selected queue.

Shinohara teaches that, "In order to prevent a cell loss in the core switch section an the output buffer module section within the ATM switching system... a back pressure signal is originated to all the input buffer modules when each output line corresponding queue length in the output buffer module section exceeds a threshold value. The input buffer module prepares back pressure control under which a cell to be output to the output port or output line originating a back pressure signal is suspended." Shinohara, col. 3, line 66- col. 4, line 17, emphasis added. As this statement shows, the input buffer module responds to the back pressure signal by suspending cell transmission (Applicants note that suspending cell

transmission is not the same as dropping cells). Furthermore, since the purpose of the back pressure signal is to prevent cell loss in the output buffer module section, it would appear that, in order for Shinohara's system to function as intended, the back pressure signal is necessarily asserted before the output buffer module section drops or is about to drop packets

Shinohara states: "In order to perform uniform rate control between logical channels (VC) by means of the rate control section in the input buffer module section, the buffer occupancy of the output line corresponding queue within the input buffer module section is observed for each logical channel (VC). Thus, when the buffer occupancy of the logical channel (VC) in a packet exceeds a threshold value upon arrival of the leading cell of the packet to the output line corresponding queue in the input buffer module, the packet is discarded." Col. 4, lines 39-48. As this passage shows, the input buffer module in Shinohara discards packets based on the buffer occupancy of a queue (the output line corresponding queue) within the input buffer module itself.

As the above passages show, Shinohara teaches a system that stops sending packets from the input buffer module in response to a back pressure signal. The back pressure signal causes the input buffer module to stop sending packets, not to drop packets. Instead, the input buffer taught in Shinohara drops packets when a queue in the input buffer module reaches a certain occupancy level. Accordingly, the cited art clearly fails to teach an output traffic manager that communicates to the ingress receiver to drop inbound packets destined for the selected queue approximately when the output traffic manager drops outbound packets or is about to drop said outbound packets, as recited in claim 1. Thus, claim 1 is patentable over the cited art for at least the foregoing reason. Dependent claims 2-14 are also patentable over the cited art for this reason.

Furthermore, Shinohara neither suggests the features of claim 1 nor could be combined with another reference to suggest the features of claim 1. In the passage describing when to discard packets in the input buffer module, Shinohara neither teaches nor suggests an output traffic manager that communicates to the ingress receiver to drop inbound packets destined for the selected queue approximately when the output traffic manager drops outbound packets or is about to drop said outbound packets. Instead, Shinohara teaches discarding packets in the input buffer module at the point at which the occupancy of a queue within the input buffer module reaches a certain level (i.e., the input buffer module starts dropping packets when it becomes too full). Shinohara fails to suggest that the input buffer drops packets in response to any condition other than when the queue becomes too full. Accordingly, Shinohara fails to suggest an output traffic manager that communicates to the ingress receiver to drop inbound packets destined for the selected queue approximately when the output traffic manager drops outbound packets or is about to drop said outbound packets, as recited in claim 1.

Claims 15-23 are patentable over the cited art for reasons similar to those provided above with respect to claim 1.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephone interview, the Examiner is invited to telephone the undersigned at 512-439-5080.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 14, 2003.

Brenna A Brock — Oct 14, 2003

Attorney for Applicant(s) — Date of Signature

Respectfully submitted,

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